

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 5:20 CR 351
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
LEOPOLDO CERRITENO LEON,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Thomas M. Parker, regarding the change of plea hearing of Leopoldo Cerriteno Leon, which was referred to the Magistrate Judge with the consent of the parties.

On July 1, 2020, the government filed a 2 count Indictment, charging Defendant Leon in counts 1 and 2, with Illegal Reentry, in violation of Title 8 U.S.C. § 1326, and Alien in Possession of a Firearm, in violation of Title 18 U.S.C. § 922(g)(5). Defendant was arraigned on July 13, 2020, and entered a plea of not guilty to counts 1 and 2 of the Indictment, before Magistrate Judge Ruiz. On September 27, 2021, Magistrate Judge Parker received Defendant Leon's plea of guilty to counts 1 and 2 of the Indictment, with a written plea agreement, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Leon is found to be competent to enter a plea and to understand his constitutional rights. He is aware of

the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Leopoldo Cerriteno Leon is adjudged guilty to counts 1 and 2 of the Indictment, in violation of Title 8 U.S.C. § 1326, and Title 18 U.S.C. § 922(g)(5). This matter was referred to the U.S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be held on January 14, 2022, at 11:00 a.m. in Courtroom 17A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

November 17, 2021